

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/691,062
Filing Date: October 22, 2003
Applicant: Otto Rolf Mueller et al.
Group Art Unit: 2875
Examiner: Jason M. Han
Title: VEHICLE LAMP
Attorney Docket: SCH-00076 / LWP 02-045

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR §132

Sir:

Otto Müller (Please print your name) declares as follows:

1. I am the inventor of the subject matter of the above identified patent application.

2. I received a Maschinenbau Techniker
Berufsfachschule Göppingen
(Please fill in your educational background, i.e., degrees and what institution you received them from).

3. I have been employed with Schefenacker Vision Systems Germany GmbH & Co. KG for the past 12 years working in Lighting development. (Please fill in the areas in which you have worked in at Schefenacker Vision Systems). My working life has been spent in the development. (Please fill in the areas in which you have worked prior to working at Schefenacker Vision Systems).

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Systems). I am listed as an inventor on the following patent(s) US 6,854,843

relating to

4. I have reviewed the Examiner's Office Action dated May 8, 2005 and U.S. Patents No. 6,598,998 issued to West et al. (hereafter the '998 patent), No. 6,773,154 issued to Desai (hereafter the '154 patent), and No. 4,628,422 issued to Ewald (hereafter the '422 patent) which were used as a basis for rejecting claims 1, 3-6, 7-18, 21-23, and 26-27 in the application.

5. Claims 1, 7-18, 21-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the '998 patent in view of the '154 patent.

6. The '154 patent discloses an exterior automotive lighting device referred to as a "high mount stop lamp." The '154 patent has retroactive optics for distributing light in multiple directions. The '154 patent also has a reflector having steps which "reflect light rays and/or emitted photons substantially perpendicular to an incident direction to the emitted photons." Col. 3, Lines 54-56. The '154 patent also describes how a "single Light Emitting Semiconductor Device (LESD) is mounted within the high mount stop lamp." Col. 3, Lines 57-60.

7. The '998 patent discloses a side emitting Light Emitting Diode (LED) package having "a longitudinal package axis, an LED package base, and a lens." Col. 3, Lines 23-24. The '998 patent describes how the LED emits light perpendicular to the longitudinal axis package, and how "a shallow, large area reflector can be used in combination with a side-emitting LED package to emit light over a broader area than a conventional LED package." Col. 7, Lines 8-11.

8. The purpose of my invention is to provide compact LED, where the overall height of the reflective surface is equal to or less than the height of the LED. The '154

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patents disclose a reflective surface that is greater than or equal to the height of the LED. Figure 1, Col. 3, Line 39.

9. One of ordinary skill in the art at the time my invention was filed would not have been motivated to modify the '998 patent or the '154 patent to include a reflective surface having a height the less than or equal to the height of the LED.

10. With regard to the '422 patent, claim 1 of my patent application discloses a light source as an LED having a light conducting element in the shape of a double cone, which works in conjunction with a reflective surface. The '422 patent has an LED which emits light in all directions for use in illuminating a display and has no double cone.

11. One of ordinary skill in the art at the time my invention was filed would not be motivated to modify the '422 patent or combine the invention in the '422 patent with the '998 patent or the '154 patent for the purpose of rendering Claim 1 of my invention obvious.

12. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Date: 09.08.05

By: Otto Müller
(Signature)

Otto Müller
(Please print name)